

EXHIBIT A

Abrahamsen, Conaboy & Abrahamsen, P.C.
 James J. Conaboy, Esquire
 Attorney for Plaintiff
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MAUREEN KIRTON and	:	IN THE COURT OF COMMON PLEAS
	:	OF MONROE COUNTY
Plaintiffs	:	
	:	CIVIL ACTION - LAW
vs.	:	JURY TRIAL DEMANDED
	:	
THE HOME DEPOT	:	
	:	
Defendant	:	No.: 1312-CV-2021

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed against you by the Court without you, and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

MONROE COUNTY BAR ASSOCIATION

Lawyer Referral Service
 913 Main Street
 Stroudsburg, Pennsylvania 18360
 (570) 424-7288 - Phone
 or (570) 424-8234 - Fax

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PROTHONOTARY
2022 MAR 16 A 11: 32
MONROE COUNTY, PA

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Defendant : No.: 1312-CV-2021

COMPLAINT

NOW COMES the Plaintiff, Maureen Kirton, by and through counsel, Abrahamsen, Conaboy & Abrahamsen, P.C., and hereby complains against the above named Defendant as follows:

1. The Plaintiff, Maureen Kirton, is an adult and competent individual who resides at 1030 Red Maple Lane, Stroudsburg, Monroe County, Pennsylvania.
2. The Defendant, The Home Depot, upon information and belief, is a legal entity lawfully permitted to conduct business within the Commonwealth of Pennsylvania with a place of business located at 150 Mountaineer Drive, Stroudsburg, Monroe County, Pennsylvania.
3. At all times material and relevant hereto, the Defendant, The Home Depot, did operate a retail business located at 150 Mountaineer Drive, Stroudsburg, Monroe County, Pennsylvania which was open to the public.
4. At all times material and relevant hereto, the Defendant, The Home Depot, did possess, control and maintain property located at 150 Mountaineer Drive, Stroudsburg, Monroe County, Pennsylvania for the purposes of conducting retail business including, but not limited to,

a parking lot area surrounding the business.

5. On January 10, 2020, the Plaintiff, Maureen Kirton, was a business invitee lawfully upon the property of the Defendant located at 150 Mountaineer Drive for the purpose of purchasing a toilet.

6. On January 10, 2020, Plaintiff purchased from the Defendant a toilet with the assistance of her adult son. Plaintiff and her son used a flatbed shopping cart supplied by the Defendant to transport the toilet from the store to Plaintiff's vehicle in the parking lot.

7. In the parking lot area of the Defendant's property, as the Plaintiff's son began to transfer the toilet from the flatbed cart to Plaintiff's vehicle, the flatbed shopping cart began to roll unexpectedly, knocking Plaintiff to the ground and dragging her on her abdomen approximately 15 feet across The Home Depot parking lot.

8. The incident of January 10, 2020 was caused by the negligent and careless conduct of the Defendant, The Home Depot, in that it:

- a. Failed to provide a safe area for patrons such as the Plaintiff to load purchased items into motor vehicles;
- b. Failed to provide a safe shopping cart;
- c. Failed to provide braking mechanisms on their flatbed shopping carts so as to prevent the shopping carts from rolling uncontrollably in its parking lot area;
- d. Failed to warn the Plaintiff that the make of Defendant's parking lot did not allow for the safe transfer of purchased items to motor vehicles;
- e. Failed to properly inspect its premises to determine whether materials could be safely loaded into motor vehicles;
- f. Failed to maintain its parking lot in a safe condition;
- g. Failed to exercise due care for the protection of business invitees lawfully upon its property; and
- h. In causing, allowing and permitting a dangerous condition to exist in its parking lot where the Defendant know, or by the exercise of reasonable care, should have known of its existence and the danger presented to persons utilizing the parking lot area.

9. As a result of the foregoing negligent and careless conduct of the Defendant, the Plaintiff, Maureen Kirton, suffered significant injuries to various parts of her body including her cervical and thoracic spine, her ribs and both knees, as well as various bruises and contusions about her body, some or all of which may be permanent in nature.

10. As a result of the negligent and careless conduct of the Defendant as described above, the Plaintiff has been caused to undergo medical attention and to incur medical expenses, all to her detriment and loss.

11. As a result of the negligent and careless conduct of the Defendant as described above, the Plaintiff has been caused to endure physical pain and suffering, embarrassment and humiliation, and the loss of the ability to enjoy the pleasures of life, some or all of which may be permanent in nature.

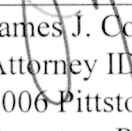
12. As a result of the negligent and careless conduct of the Defendant as described above, the Plaintiff has been limited from engaging in her usual and customary daily activities and she may be so restricted or limited for an indefinite time into the future.

WHEREFORE, Plaintiff respectfully requests that judgment be entered in her favor and against the Defendant in an amount in excess of Fifty Thousand Dollars (\$50,000.00) together with interest and cost of suit.

Respectfully Submitted,

Abrahamsen, Conaboy & Abrahamsen, P.C.

By:



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CERTIFICATE OF COMPLIANCE

I, James J. Conaboy, Esquire, certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Respectfully Submitted,

Abrahamsen, Conaboy & Abrahamsen, P.C.

By: 

James J. Conaboy, Esquire
Attorney ID No.: 77987

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VERIFICATION

I, MAUREEN KIRTON, hereby verify that I am the Plaintiff herein, and that the statements contained in the foregoing "COMPLAINT" are true and correct to the best of my information, knowledge and belief, and that the statements are made subject to the penalties of 18 Pa. C.S. § 4904 pertaining to unsworn falsification to authorities.


MAUREEN KIRTON

DATE: 3/14, 2022


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CERTIFICATE OF SERVICE

I, James J. Conaboy, Esquire, hereby certify that I have this 21 day of March 2022 served a true and correct copy of the foregoing COMPLAINT upon the following listed below, via United States Postal Service, postage prepaid.

The Home Depot
150 Mountaineer Drive
Stroudsburg, PA 18360


James J. Conaboy, Esquire